

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

----- X
THOMAS CASTELLANO, an individual; LESLIE
CASTELLANO, an individual; on behalf of themselves
and all others similarly situated

Plaintiffs,

-against-

GLOBAL CREDIT & COLLECTION CORP., a
Delaware Corporation; and JOHN AND JANE DOES
NUMBERS 1 THROUGH 25,

Defendants.

Case No.: 2:10-CV-05898
(JFB)(WDW)

**NOTICE OF MOTION FOR
PROTECTIVE ORDER BY
DEFENDANT GLOBAL
CREDIT & COLLECTION
CORP. ON BEHALF OF
DANIEL ELMALEM**

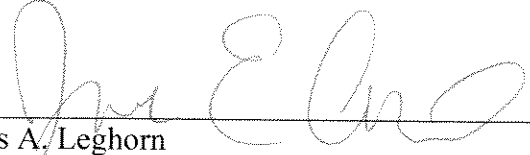
August 1, 2011
----- X

PLEASE TAKE NOTICE, that Defendant Global Credit & Collection Corp. (hereinafter the “Defendant”), upon the annexed Affirmation in Support of the Motion from counsel for the Defendant and the Exhibits annexed thereto, the annexed Memorandum of Law and upon the prior proceedings, filings, and Court orders in this matter, the undersigned moves this Honorable Court for a protective order prohibiting the Plaintiffs, Thomas Castellano and Leslie Castellano, from deposing Daniel Elmalem on August 12, 2011 in Ontario, Canada as notice provided for this deposition is not reasonable under Fed. R. Civ. P. 30(b)(1) and this deposition of an “Apex” witness serves no purpose other than to harass and annoy the Defendant and its highest ranking officers. The Plaintiff has failed to show that Mr. Elmalem’s testimony is relevant to the issues in this case or that he has unique knowledge not known to other employees and the Rule 30(b)(6) representative that Defendant has agreed to produce. In support of this motion, the Defendant attaches an Affirmation of Jill Alward and a memorandum of law.

Respectfully Submitted,
THE DEFENDANT,
GLOBAL CREDIT & COLLECTION CORP.

By: _____

Thomas A. Leghorn
Jill E. Alward
150 East 42nd Street,
New York, NY 10017
Tel: (212) 490-3000
Fax: (212) 490-3038
File No. 11708.00006

A handwritten signature in cursive script, appearing to read "Jill E. Alward", written over a horizontal line.